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| 10/664,231 | 09/17/2003 | James Rauckman | RAUC 8652US | 3367 |
| 1688 | 7590 | 03/31/2004 | EXAMINER | |
| POLSTER, LIEDER, WOODRUFF & LUCCHESI 12412 POWERSCOURT DRIVE SUITE 200 ST. LOUIS, MO 63131-3615 | | | ESTRADA, ANGEL R | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2831 | |

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/664,231

Applicant(s)

RAUCKMAN, JAMES

Examiner

Angel R. Estrada

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 17 is/are rejected.
- 7) ☐ Claim(s) 15 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/11/03 & 3/10/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group I (Claims 1-17) in the Response filed on March 10, 2004 is acknowledged.

Claim Objections

2. Claim 7 is objected to because of the following informalities:

Claim 7 line 2, "the installation grip", lacks antecedent basis.

Claim 7 line 2, "the installation tool", lacks antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al (US 5,864,096, hereinafter Williams) in view of Soens (US 4,664,971).

Regarding claim 1, Williams discloses a wildlife guard (G) for electrical power equipment comprising: a disc (see figure 1) having a central opening (33) for fitting onto the equipment (see figure 1) comprising: an electrically insulating material (column 3

Art Unit: 2831

lines 58-61), the disc (see figure 1) having an insertion slot extending from an outer portion to the central opening for movement of the disc onto the equipment (see figure 2); but Williams lacks a conductive filler material dispersed within the electrically insulating material in quantity sufficient for the disc to maintain an electrostatic charge. Soens teaches an article comprising an electrically insulating material (plastic) having a conductive filler material dispersed within the electrically insulating materials in quantity sufficient for the disc to maintain an electrostatic charge (column 1 lines 65-column2 line 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide to Williams' guard with a conductive filler within the electrically insulating material as taught by Soens to improve the guard electrical and thermal conductivity.

Regarding claim 2, Williams discloses the wildlife guard (G) wherein the disc (see figure 1) comprises: a plurality of ring members (30) concentrically located about the central opening (see figure 2) and spacer ring tab members (38) mounted between the ring members for connecting the ring members (see figure 2).

Regarding claim 3, Williams discloses the wildlife guard (G) further including a plurality of lug members (42) extending inwardly into the central opening (see figure 2) from an inner one of the ring members (30) for engaging an outer surface of the equipment (see figure 2).

Regarding claim 4, Williams discloses the wildlife guard (G) wherein the ring members (30) are of increasing diameter extending in concentric location from an

Art Unit: 2831

innermost ring member adjacent the central opening to an outermost ring member (see figure 2).

Regarding claim 5, Williams discloses the wildlife guard (G) wherein inner ones of the ring members (30) are removable from the tab members (column 4 lines 37-52).

Regarding claim 6, Williams discloses the wildlife guard (G) wherein the tab members (40) adjacent the inner ones of the ring members (30) function as engaging lugs on removal of the inner ones of the ring members (see figure 2).

Regarding claim 7, Williams discloses the wildlife guard (G) further including guide notches (68) formed in the disc (see figure 2) adjacent the installation grip for engagement with the installation tool (column 5 lines 44-50).

Regarding claim 8, Williams discloses the wildlife guard (G) further comprising a plurality of teeth (54) formed along the insertion slot engaging the equipment and holding the disc in place on the equipment (see figure 2 or column 5 lines 6-9).

Regarding claim 9, Williams discloses the wildlife guard (G) wherein the teeth (54) face inwardly along side portion of the insertion slot to allow ease of movement of the disc onto the equipment (see figure 2).

Regarding claim 10, Williams discloses the wildlife guard (G) wherein portions of the teeth (54) are removable to adapt the disc for various sizes of electrical power distribution equipment (column 5 lines 23-25).

Regarding claim 11, Williams discloses the wildlife guard (G) wherein the disc (see figure 2) comprises a barrier between an energized surface and a grounded

Art Unit: 2831

surface or between any two electrodes of different electrical potential (column 6 lines 40-43).

Regarding claim 12, Soens teaches that the conductive material can be carbon black (column 1 lines 44-46).

Regarding claim 13, Soens teaches that the conductive material comprises stainless steel fibers (column 3 lines 7-10).

Regarding claim 17, Williams discloses the wildlife guard (G) further comprising at least one installation grip area (68) for engagement with a gripping portion of an installation tool (72), the installation grip area (68) comprising a plate member for engagement with the gripping portion of the installation tool (see figure 5) and a passage pod adjacent to the plate member for passage of the gripping portion of the installation tool (see figures 5 and 6).

4. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al (US 5,864,096, hereinafter Williams) in view of in view of Soens (US 4,664,971) as applied in claim 1, and further in view of Bowling et al (US 6,255,597, hereinafter Bowling).

Regarding claim 14, the modified Williams discloses the claimed invention except for a nonconductive adapter placed over a conductor onto which the wildlife guard is mounted. Bowling teaches a non-conductive adapter (10) placed over a conductor (see figure 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide to the modified Williams with a non-conductive

Art Unit: 2831

adapter placed over the conductor in which the wildlife guard is mounted to provide an adapter that will cover any portion of an uninsulated conductor extending from an insulator bushing.

Allowable Subject Matter

5. Claims 15 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: The primary reasons for the indication of the allowability of claims 15 and 16 are:

Regarding claim 15, the prior art does not disclose or teach in combination with the other claimed features an adapter having an annular groove in an exterior portion thereof for maintaining the wildlife guard upon the adapter.

Regarding claim 16, the prior art does not disclose or teach in combination with the other claimed features an adapter having an annular groove in an exterior portion thereof for maintaining the wildlife guard upon the adapter.

These limitations are found in claims 15 and 16, and are neither disclosed nor taught by the prior art of record, alone or in combination.

Conclusion

6. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

Art Unit: 2831

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 Ext: 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Angel R. Estrada

March 23, 2004


DEAN A. REICHARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800